

Paul Flack

From: Themeli, Sonila (SHB) <STHEMELI@shb.com>
Sent: Tuesday, January 10, 2023 12:34 PM
To: Paul Flack
Cc: Lewis, John (SHB); Gulde, Matthew; Cogdell, Dan; Powell, Kierra K. (SHB); Fleming, Mia K. (SHB); David Gerger (dgerger@ghmfir.com); Themeli, Sonila (SHB)
Subject: RE: SEC v Chavez - Apartment

Hi Paul,

The Receiver requests that Mr. Chavez does not remove the tags from any of the clothing items, shoes, or other personal property at his residence.

Mr. Webster will provide us with an inventory by the end of the week.

Thank you,

Sonila Themeli

Senior Counsel
Shook, Hardy & Bacon L.L.P.

713.546.5656 | sthemeli@shb.com



From: Paul Flack <pflack@prattflack.com>
Sent: Sunday, January 8, 2023 5:42 PM
To: Themeli, Sonila (SHB) <STHEMELI@shb.com>
Cc: Lewis, John (SHB) <jolewis@shb.com>; Gulde, Matthew <GuldeM@SEC.GOV>; Cogdell, Dan <dcogdell@joneswalker.com>; Powell, Kierra K. (SHB) <kkpowell@shb.com>; Fleming, Mia K. (SHB) <MKFLEMING@shb.com>; David Gerger (dgerger@ghmfir.com) <dgerger@ghmfir.com>
Subject: RE: SEC v Chavez - Apartment

EXTERNAL

Sonila,

I received your amended notice. I see that you changed some of the language. To the extent that was to address our concerns, thank you. We are trying not to object to the amended notice, so the entry can happen. If you could confirm the following, which I believe are consistent with what you said when we had our meet and confer, I believe we will be able to have the inspection Tuesday morning.

- 1) You and the Receiver and your appraiser and I will enter the apartment. I will escort you and will have the key.
- 2) You can look anywhere you like and take pictures or videos.

- 3) You are free to seize any cash, papers relating to CFX, or computers or storage devices. My understanding is that there are none.
- 4) You agree not to take any of the following:
 - a) Any clothes or personal effects;
 - b) The one TV that is in the apartment;
 - c) The one computer monitor that is in the apartment;
 - d) The furniture.
- 5) At the conclusion of the inspection, I will retain the key and return it to Mauricio. The Receiver will not attempt to lock Mauricio out of the apartment or take possession of it without further notice and opportunity for us to object.
- 6) You agree to maintain as confidential any pictures or videos you take. If you desire to file any of them with the Court, you will let me know and if we can't agree that they can be filed publicly, then you will file any such materials under seal.
- 7) All of the above is without waiver of any privileges and neither party is waiving any right to seek any relief from the Court regarding the apartment. In particular, if you see something you think the Receiver should take possession of, you are free to go to the Court and request it and we are free to object.
- 8) All of the above also applies to the storage unit. My understanding is that it is, and always has been, empty.

Please let me know if that works.

Thank you,

Paul D. Flack
(713) 705-3087

From: Themeli, Sonila (SHB) <STHEMELI@shb.com>
Sent: Friday, January 6, 2023 12:18 PM
To: Paul Flack <pflack@prattflack.com>
Cc: Lewis, John (SHB) <jolewis@shb.com>; Gulde, Matthew <GuldeM@SEC.GOV>; Cogdell, Dan <dcogdell@joneswalker.com>; Powell, Kierra K. (SHB) <kcpowell@shb.com>; Fleming, Mia K. (SHB) <MKFLEMING@shb.com>; Themeli, Sonila (SHB) <STHEMELI@shb.com>
Subject: RE: SEC v Chavez - Apartment

Hi Paul,

Thank you for your email.

As discussed during our meet and confer, the Receiver will not accept photographs of the residence or the storage unit.

Please see attached the amended request for inspection for Tuesday Jan. 10 at 9:00 am.

I will send an amended notice for the Tidmore lane property in another email.

Thank you,

Sonila Themeli
Senior Counsel
Shook, Hardy & Bacon L.L.P.

713.546.5656 | sthemeli@shb.com



From: Paul Flack <pflack@prattflack.com>
Sent: Thursday, January 5, 2023 6:19 PM
To: Themeli, Sonila (SHB) <sthemeli@shb.com>
Subject: SEC v Chavez - Apartment

EXTERNAL

Sonila,

We would propose to provide you with pictures of the apartment that would show the entire interior including inside cabinets and drawers and inside the storage unit. We can also provide an affidavit from the person who takes the pictures.

Please let me know if that works.

Thank you,

Paul D. Flack
(713) 705-3087

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